



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
2715 Post Road
Stevens Point, Wisconsin 54481
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 61
Commerce #: 54754-9999-05-A
BRRTS #: 03-27-203673
Site Name: Gosch's Shell (Former)
Site Address: 305 S Hammond St, Merrilan, 54754
Site Manager: Amy Lesik
Address: 1300 W Clairemont Ave
City, State Zip: Eau Claire, WI 54702-4001
Phone: 715-839-2906
e-mail: amy.lesik@wisconsin.gov
Bid Manager: Timothy A. Zeichert
Address: 2715 Post Road
City, State Zip: Stevens Point, Wisconsin 54481
Phone: (715) 345-5307
e-mail: timothy.zeichert@wisconsin.gov

Bid-Start Date:	June 22, 2009
Questions must be received by (See Section 2 (B)):	July 06, 2009, 4:00 PM
Responses will be posted by (See Section 2 (B)):	July 24, 2009
Bid-End Date and Time:	August 07, 2009, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Quality Quick Print-Eau Claire, 1213 Menomonie St, Eau Claire, WI 54703
Phone: (715) 836-0049 Fax: (715) 836-7704

SECTION 2 – Site-Specific Bid Requirements

General Comments

The site is a former gas station from which there is an observed release of gasoline. Free product has been observed in three on-site monitoring wells and one off-site monitoring well. Sandstone bedrock is present at approximately 7 feet below ground surface. Groundwater is at about 16 feet below ground surface. The former gas station building has been modified and is now a residence.

Minimum Remedial Requirements

Excavation

Conduct a remedial excavation in the area of the former dispenser island to measure about 20' (east-west) X 36' (north-south) X 7' deep. Collect 8 post-excavation soil samples. At a minimum, all soil samples shall be analyzed for PVOCs, naphthalene, 1,2-Dichloroethane (1,2 DCA) and ethylene dibromide (EDB). It may be more cost effective to analyze for VOCs. Provide a separate cost for this activity.

Also provide a per ton cost by which the above figure may be adjusted up or down should field observations indicate that more or less soil should be excavated.

Groundwater Monitoring Events

Prior to remedial excavation, measure water levels and product thicknesses in all monitoring wells, remove and containerize product as necessary. Collect one round of groundwater samples from MW-1, MW-2, MW-3, MW-4, MW-5, MW-6, MW-7, MW-8, MW-10, MW-11, and PZ-1. At a minimum, all groundwater samples shall be analyzed for PVOCs, naphthalene, 1,2 DCA and EDB. It may be more cost effective to analyze for VOCs. Please note that the method for EDB must have adequately low detection limits.

At six months and nine months after completion of the remedial excavation collect two more rounds of groundwater samples. Measure water levels and product thicknesses during each sampling event.

Waste Disposal

Any waste generated as a result of each phase of work shall be collected, stored, and disposed of appropriately. Waste disposal costs for each activity must be included in this bid.

Reporting

In accordance with NR724, submit a report to DNR and Commerce documenting all the above activities. Groundwater analytical tables should include the previously collected data from 2000 to 2003. Provide recommendations for future activities.

All work and reporting must be in accordance with Wisconsin regulation, administration code and remediation program guidance, especially the NR700 series, NR140 and NR141.

The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Procedure (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.

5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 61

(1st Page)

Department of Commerce PECFA Program

Site Name: Gosch's Shell (Former)

Commerce #: 54754-9999-05-A

BRRTS #: 03-27-203673

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE – BID ROUND 61**(2nd Page)**

Department of Commerce PECFA Program

Site Name: Gosch's Shell (Former)**Commerce #: 54754-9999-05-A****BRRTS #: 03-27-203673****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Excavation costs (per ton)	\$
2	Confirmation soil sample costs (8 samples)	\$
3	Groundwater monitoring costs for 3 events at 11 monitoring points	\$
4	Free product removal (if necessary)	\$
5	Waste disposal for all activities (not including excavation)	\$
6	Reporting	\$
7	PECFA Claim Preparation	\$
8	Total Bid Amount	\$
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)		
•	Collection and Analysis of TCLP Soil Samples for Landfill Disposal	\$